

April 4, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.,
Washington, DC 20554

Re: In the Matter of Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, CC Docket No. 02-33

Universal Service Obligations of Broadband Providers, CC Docket No. 02-33

Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review – Review of Computer III and ONA Safeguards and Requirements, CC Dockets Nos. 95-20, 98-10

Appropriate Regulatory Treatment for Broadband Access to the Internet over Cable Facilities, CS Docket No. 02-52

Notice of Oral Ex Parte Presentation

Dear Ms. Dortch:

On Friday, April 4, 2003, Peter Pitsch, Intel Corporation, David Peyton, NAM, Paul Kenefick, Alcatel, Jeanine Poltronieri, Motorola and Tim Reagan, Corning met with Harry Wingo of the Office of General Counsel and William Kehoe, Michael Carowitz, Cathy Carpino, Carol Matthey, Jane Jackson and Christian Wojnar of the Commission's Wireline Competition Bureau. In the course of the discussion Mr. Pitsch and others made several points on behalf of the High Tech Broadband Coalition which are set out in the Coalition's pleadings filed in the above referenced FCC broadband proceedings including:

- The Commission should adopt its tentative conclusion that wireline broadband Internet access is an information service that should be subject only to minimal regulation.
- Consistent with this classification, the Commission should allow the market for wireline broadband Internet access service to develop with little regulatory intervention.
- The Commission's policies for this market should protect the interests of consumers by assuring that they get unrestricted access to content, applications and devices.
- The Commission should maintain its policy that requires ILECs who provide affiliated ISPs with a broadband transmission service to make the same transmission service available to unaffiliated ISPs on a nondiscriminatory basis.
- Wireline broadband providers, including the ILECs, should be permitted to negotiate privately the terms of new broadband transmission service arrangements with ISPs.
- However, the ILECs should make any such arrangements with their affiliated ISPs available to unaffiliated ISPs on terms that are the same.
- The Commission should therefore revisit these requirements in two years.
- Any continuing regulation should be imposed in a competitively neutral manner.

Pursuant to Section 1.1206(b) of the Commission's Rules, an electronic copy of this letter is being submitted to the Secretary's Office and to the FCC participants in the meeting. Please inform me if any questions should arise in connection with this filing.

Respectfully submitted,

Peter K. Pitsch

cc:

Harry Wingo

William Kehoe

Cathy Carpino

Carol Molty

Jane Jackson

Christian Wojnar